In the High Court of Punjab and Haryana, Chandigarh.

Civil Revision No. 6088 of 2007

Date of Decision: 27.11.2007

Jaibir

…Petitioner

Versus

Kishan Singh and Others

…Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. Karan Singh, Advocate
for the petitioner.

RAJESH BINDAL, J.

The petitioner is aggrieved against the order dated November 5, 2007 passed by learned Civil Judge (Senior Division), Gurgaon, whereby the application filed by the petitioner/plaintiff under Order 1 Rule 10 CPC for impleading State of Haryana and Land Acquisition Collector, Gurgaon, as defendant in the suit was dismissed. The claim made in the suit is for declaration to the effect that the judgment and decree November 22, 1985 be declared illegal, null and void. The State of Haryana and Land Acquisition Collector, Gurgaon, are the necessary parties to be impleaded for the reason that subsequently, the land in dispute was acquired by the State and the compensation there for was paid to the owners of the land. The suit is only to challenge the decree dated November 22, 1985, and the State of Haryana would not be necessary party merely for the reason that land was acquired by the State.

Accordingly, concurring with the view expressed by the learned trial Court, I do not find any merit in the present petition and the same is dismissed.

(Rajesh Bindal)
Judge

November 27, 2007
"DK"